

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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*3/1/18*

BRIAN RACINE,

Petitioner,

No. 15-cv-14165-PBS

v.

SEAN MEDEIROS,

Respondent.

**REPORT AND RECOMMENDATION REGARDING PETITION FOR WRIT  
OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2254 (Dkt. No. 1)**

Cabell, U.S.M.J.

**I. INTRODUCTION**

On June 10, 2011, a jury in the Massachusetts Superior Court for Middlesex County convicted petitioner Brian Racine ("Racine") of indecent assault and battery on a child under the age of 14. On June 16, 2011, Racine was also convicted following a bench trial of being a subsequent offender. Racine was sentenced to a term of 15 to 25 years in state prison and is currently serving that sentence. Pending before the court is his petition for habeas corpus pursuant to 28 U.S.C. § 2254. The government argues that the court should dismiss the petition because Racine has failed to exhaust his state court remedies with respect to four of the five grounds he advances in the petition. For the reasons detailed

*3/5/18 I adopt the report and recommendation without objection. The petition will be dismissed. If the unexhausted claims are not dismissed, the petition will be dismissed. 3/5/18*